

INDIANA STATE BOARD OF NURSING
Thursday, December 10, 2009
at 8:30 a.m.
in the Auditorium of the
Indiana Government Center-South
302 West Washington Street
Indianapolis, Indiana 46204

I. CALL TO ORDER AND ESTABLISHMENT OF QUORUM

Mr. Burghduff called the meeting to order at 8:30 a.m. in the Auditorium of the Indiana Government Center South Building, 302 West Washington Street, Indianapolis, Indiana 46204 and declared a quorum, in accordance with IC § 25-23-1-5(b).

Board Members Present:

Jerry Burghduff, L.P.N., Vice-President
Marcia Laux, R.N., Member
Lynda Narwold, R.N., Secretary
Anne Ogle, Consumer Member
Stacy Henderson, L.P.N., Member
Connie McIntosh, R.N., Member

Board Members Absent

Carolyn Slagle, R.N., C.N.S., Member
Laurel Valentino, R.N., President
Scott Johns, R.N., C.R.N.A., Member

State Officials Present:

Sean Gorman, Board Director, Indiana Professional Licensing Agency
Lori Grice, Assistant Board Director, Indiana Professional Licensing Agency
Lisa Chapman, Litigation Specialist, Indiana Professional Licensing Agency
Gordon White, Nursing Board Advisory Counsel, Office of the Attorney General

II. ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda, as amended.

NARWOLD/LAUX
Motion Carried 5-0-0.

III. ADOPTION OF THE MINUTES FROM THE NOVEMBER 19, 2009 MEETING OF THE BOARD

A motion was made and seconded to adopt the proposed minutes.

LAUX/NARWOLD
Motion Carried 5-0-0.

IV. INDIANA STATE NURSES ASSISTANCE PROGRAM

Charles Lindquist, ISNAP Program Director, presented the monthly report to the Board. Mr. Lindquist informed the Board that ISNAP has, as of December 1, 2009, 596 active clients, 44 new intakes, 76 intakes in process, 26 closures in monitoring and 29 new Recovery Monitoring Agreements returned.

Mr. Lindquist addressed the attendees at the Board Meeting at the request of the Board Vice-President and described the nature of the ISNAP program, which provides monitoring and assessment / treatment referral services to nurses licensed in Indiana who meet the program's monitoring criteria.

V. EDUCATION

Review of ITT Technical Institute –Merrillville Campus – Associate RN program site visit report and application for initial accreditation.

VI. DISCUSSION

LPN program director qualifications: hypothetical scenario involving a PN administrator with a Master's in another health care field and in pursuit of an MSN.

Mr. Gorman invited Board discussion on this scenario; after discussion, the Board concluded that a Master's degree in nursing was absolutely required as a minimum qualification to be a program chair for a Board accredited nursing school.

Mr. Gorman addressed the students in the audience regarding Board procedure for the monthly meeting and described the different types of hearings that will be conducted and how they develop procedurally. He also requested that the students take note of the types of situations nurses find themselves facing discipline for, and to be particularly careful when answering the application and renewal questions, advising them to err on the side of disclosure rather than give any appearance of holding back information sought by the Board.

VIII. PERSONAL APPEARANCES

Personal Appearances were conducted in a separate conference center room concurrently with Board hearings scheduled for the morning. Ms. Narwold and Ms. Ogle conducted the Personal Appearance interviews and made recommendations for the full Board's consideration and official action. A motion was made and seconded to approve those recommendations as follows:

A. Appearances by Applicants for Licensure

1. Mirlene Clement (rescheduled)

2. Daryn Fritz

Ms. Fritz appeared before the Board regarding her application for licensure by examination. Ms. Fritz disclosed multiple alcohol related criminal convictions. A motion was made and seconded to require Ms. Fritz contact ISNAP and sign an RMA if eligible, and demonstrate compliance for 6 months prior to eligibility for withdraw.

3. Tracy Miller – Endorsement

Tracy Miller appeared before the Board regarding her application for license by endorsement of her licenses in West Virginia and Ohio. Ms. Miller is on a probationary license in Ohio for a 2008 misdemeanor and a 1992 felony. Ms. Narwold recommended that Ms. Miller's license be issued on a probationary status with the requirement that she maintain compliance with the terms of her Ohio Consent Agreement.

4. Elaine Sutton – Endorsement

Elaine Sutton appeared before the Board regarding her application for license by endorsement of her Ohio PN license. Ms. Sutton is on probation in Ohio and has a felony conviction for which she is on criminal probation. Ms. Narwold recommended that the Board table consideration of her application for a later date while Ms. Sutton determines whether she wants to maintain her Ohio monitoring program and would be willing to also participate in ISNAP as a condition for licensure.

5. Jamie Schultz – Endorsement; **Continued to January**

B. Appearances by Applicants for Renewal

1. Katherine Callahan

Katherine Callahan appeared before the Board regarding her application for renewal of licensure. Ms. Callahan disclosed a recent felony conviction for arson. She is currently on criminal probation for 5 years. Ms. Narwold recommended that her license renewal application be denied. Ms. Narwold further advised that Ms. Callahan present the results of an MMPI-2 with an evaluation speaking to her ability to practice safely.

2. Lynn Criggley

Ms. Criggley appeared before the Board regarding her application for renewal of licensure. Ms. Criggley disclosed a Nov. 2008 conviction for Reckless Driving from an alcohol related arrest. A motion was made and seconded that Ms. Criggley's license be renewed free and clear upon proof of completing criminal probation and a letter of support from her EAP provider.

3. Jessica Slone

Jessica Slone appeared before the Board regarding her application for renewal of licensure. Ms. Slone disclosed a November OWI conviction. A motion was made and seconded to renew Ms. Slone's license and to require her to contact ISNAP for an evaluation and to sign an RMA if eligible. She will be renewed free and clear.

4. Tammy Padgett

Tammy Padgett appeared before the Board regarding her application for licensure by renewal. Ms. Padgett disclosed a recent termination, but has also disclosed past terminations on previous renewal applications. A motion was made and seconded to renew Ms. Padgett's license on a probationary status for at least one year with required quarterly performance reports submitted by her nursing supervisor.

5. Scott Fairhurst

\ Scott Fairhurst appeared before the Board regarding his application for renewal of licensure. Mr. Fairhurst reported a criminal conviction for public intoxication stemming from an OWI arrest. A motion was made and seconded to require Mr. Fairhurst to contact ISNAP and sign an RMA if eligible. He will be renewed free and clear.

6. Kathy Carrico Pachmayr

Kathy Carrico Pachmayr appeared before the Board regarding her application for renewal of licensure. Ms. Pachmayr disclosed OWI convictions in 2007 and 2008. A motion was made and seconded to deny Ms. Pachmayr's license renewal application. The Board further advised her to continue with her substance use treatment prior to reapplying for renewal.

7. Gustav Schlueter

Gustav Schlueter appeared before the Board regarding his license renewal application. Mr. Schlueter disclosed several convictions for diversion in two states, revocation and voluntary surrender of licensure in two states. He also disclosed an OWI and past theft conviction. A motion was made and seconded to deny his renewal application.

8. Suzan Cook

Suzan Cook appeared before the Board regarding her license renewal application. Ms. Cook disclosed ongoing treatment for substance use issues. A motion was made and seconded to renew Ms. Cook's license free and clear.

9. Sharon Reynolds

Sharon Reynolds appeared before the Board regarding her application for renewal of licensure. Ms. Reynolds disclosed 4 termination in the past renewal cycle. Ms. Reynolds disclosed the details regarding each of these terminations. Ms. Narwold recommended that Ms. Reynolds be renewed on a probationary status for at least 4 quarterly reports from nursing supervisors.

10. Paul Durgan – **continued to January**

11. Melissa Rivelli – **continued to January**

12. Barbara Thomas – **continued to January**

13. Odilia Garcia – **continued to January**

14. Pamela Glisson Nunning

Pamela Nunning appeared before the Board along with her attorney Susan Zeal regarding her license renewal application. Ms. Nunning disclosed a criminal conviction for conversion. Circumstances involved her writing an unauthorized script. Ms. Narwold recommended that Ms. Nunning be renewed free and clear.

15. Jeanie Marshall

Jeannie Marshall appeared before the Board along with her attorney Patrick Chavis IV regarding her application for renewal of licensure. Ms. Marshall disclosed a termination for an incident at her place of employment due to allegations that she had fallen asleep at work due to an adverse reaction to a prescription medication. Ms. Narwold recommended that Ms. Marshall's license be renewed free and clear.

16. Jennifer Link – **Canceled, set as OTSC**

17. Crystal Williams

Crystal Williams appeared before the Board regarding her application for renewal of licensure. Ms. Williams disclosed a criminal conviction for prescription fraud. She has been closed out of ISNAP for noncompliance. Ms. Narwold recommended that Ms. Williams renewal application be denied. She further advised that Ms. Williams contact ISNAP and re-enter an RMA.

18. Lori Gough

Lori Gough appeared before the Board regarding her application for renewal of licensure. Ms. Gough disclosed a termination from employment for a missed urine drug screens. ISNAP reports that she has had some issues with missed and dilute drug screens. Ms. Narwold recommended that Ms. Gough be renewed on probationary status for at least 6 months of full compliance with her ISNAP RMA.

19. Eric Moss

Eric Moss appeared before the Board regarding his application for renewal of licensure. Mr. Moss disclosed a criminal conviction for possession of marijuana. Mr. Moss has completed the requirements of his criminal probation. Ms. Narwold recommended that Mr. Moss be renewed free and clear.

20. Lindsey Everman

Lindsey Evermann appeared before the Board regarding her application for renewal of licensure. Ms. Evermann disclosed a conviction for prescription fraud in 2009. She did not meet criteria for monitoring and has never tested positive for any substances. Ms. Narwold recommended that Ms. Evermann's license be renewed free and clear.

21. Kelly Montgomery – **continued to January**

C. Appearances by Applicants for Renewal - More Than Three Years

1. Dawn Sites (Expired 2003)

Dawn Sites did not appear before the Board regarding her application to renew her license, which expired in 2003. Ms. Narwold recommended that Ms. Sites' renewal application be denied.

2. Gloria Artigue (expired 2005)

Gloria Artigue appeared before the Board regarding her application for renewal of her expired license. Ms. Artigue disclosed that up until recently, she was teaching as an adjunct faculty in the nursing program at Indiana State University on an expired license. Ms. Narwold recommended that Ms. Artigue's renewal application be denied.

3. Teresa Ruff (expired 1997)

continued to January

4. Sharon Stowers (expired 2005)

Sharon Stowers did not appear before the Board regarding her application to renew her license, which expired in 2005. Ms. Narwold recommended that Ms. Stowers' renewal application be denied.

5. Stephanie Baranko – Expired 2005 **Renewed 12/8/09**

VIII. ADMINISTRATIVE HEARINGS

The following hearings were scheduled to begin at 9:00 a.m.

A In the Matter of the License of: Bonnie F. Applegate, L.P.N., License No. 27046265A

Administrative Cause No. 2009 NB 197

Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Elizabeth Kiefner-Crawford, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Laux

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Case Summary: The State of Indiana filed an amended complaint against Respondent's license on October 26, 2009. The Respondent did not appear as scheduled in a hearing notice sent to her address on record with the IPLA.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default to the Respondent.

BURGHDUFF/LAUX

Motion Carried 5-0-0.

B. In the Matter of the License of: Heidi Smith, L.P.N., License No. 27026527A

Administrative Cause No. 2009 NB 194

Re: Disciplinary Hearing

Parties and Counsel Present:

Heidi Smith, Respondent.

Elizabeth Kiefner-Crawford, Deputy Attorney General on behalf of the State of Indiana.

Chuck Lindquist, Witness on behalf of the State.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Laux

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Case Summary: The State of Indiana filed a complaint against Respondent's license on October 1, 2009.

Board Action: A motion was made and seconded place Respondent's license on indefinite suspension and require her to maintain 6 months of full compliance with an ISNAP RMA prior to eligibility for reinstatement.

BURGHDIFF/OGLE
Motion Carried 5-0-0.

C. In the Matter of the License of: Dennis M. Beeching, L.P.N., License No. 27036390A

Administrative Cause No. 2009 NB 195

Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Elizabeth Kiefner-Crawford, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Laux

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Case Summary: The State of Indiana filed an complaint against Respondent's license on October 1, 2009. The Respondent did not appear as scheduled in a hearing notice sent to her address on record with the IPLA.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default to the Respondent.

BURGHDIFF/LAUX
Motion Carried 5-0-0.

D. In the Matter of the License of: Angela Williams, L.P.N., License No. 27041490A

Administrative Cause No. 2009 NB 198

Re: Proposed Settlement Agreement; Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Elizabeth Kiefner-Crawford, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Laux

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Case Summary: The State of Indiana filed a proposed settlement agreement between the State and Respondent that would issue a \$250 fine against Respondent to be paid within 90 days.

Board Action: A motion was made and seconded to adopt the proposed settlement agreement as final disposition of the matter.

BURGHDIFF/LAUX
Motion Carried 5-0-0.

E. In the Matter of the License of: Cindy Marie Hibler, L.P.N., License No. 27036556A

Administrative Cause No. 2009 NB 218

Re: Disciplinary Hearing

At the request of the State, the above matter is CONTINUED.

F. In the Matter of the License of: Tammy L. Anderson, L.P.N., License No. 27036376A

Administrative Cause No. 2009 NB 214

Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Elizabeth Kiefner-Crawford, Deputy Attorney General on behalf of the State of Indiana.
Chuck Lindquist, Witness on behalf of the State.

Participating Board Members:

Mr. Burghduff (Hearing Officer)
Ms. Laux
Ms. Henderson
Ms. Ogle
Ms. McIntosh

Case Summary: The State of Indiana filed a complaint against Respondent's license on October 28, 2009. The Respondent did not appear as scheduled in a hearing notice sent to her address on record with the IPLA.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default to the Respondent.

BURGHDUFF/LAUX
Motion Carried 5-0-0.

A motion was made and seconded to place Respondent's license on emergency suspension status.

BURGHDUFF/LAUX
Motion Carried 5-0-0.

G. In the Matter of the License of: Cecilia Hicks, L.P.N., License No. 27045893A

Administrative Cause No. 2009 NB 177
Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person or by counsel.
Morgan Burton, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)
Ms. Laux
Ms. Henderson
Ms. Ogle
Ms. McIntosh

Case Summary: The State of Indiana filed an complaint against Respondent's license on September 24, 2009. The Respondent did not appear as scheduled in a hearing notice sent to her address on record with the IPLA.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default to the Respondent.

BURGHDUFF/HENDERSON
Motion Carried 5-0-0.

H. In the Matter of the License of: Martha Likens, L.P.N., License No. 27041889A **CONTINUED**

Administrative Cause No. 2009 NB 156
Re: Disciplinary Hearing

I. In the Matter of the License of: Christina Painter, R.N., License No. 28125249A

Administrative Cause No. 2009 NB 162
Re: Settlement Conference; Disciplinary Hearing

Pursuant to agreement by the parties, this matter is CONTINUED.

J. In the Matter of the License of: Heather Jo Whitmer, R.N., License No. 28161403A

Administrative Cause No. 2009 NB 199
Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person or by counsel.
Laura Wilford, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)
Ms. Laux
Ms. Henderson
Ms. Ogle

Ms. McIntosh

Case Summary: The State of Indiana filed a complaint against Respondent's license on November 17, 2009. The Respondent did not appear as scheduled in a hearing notice sent to her address on record with the IPLA.

Board Action: A motion was made and seconded to issue a Notice of Proposed Default to the Respondent.

BURGHDUFF/LAUX
Motion Carried 5-0-0.

A motion was made and seconded to extend Respondent's license on emergency suspension status.

BURGHDUFF/LAUX
Motion Carried 5-0-0.

K. State of Indiana v. Phillip Townsend, R.N., License No. 28142710A

Administrative Cause No. 2001 NB 0009

Re: Request to Withdraw Probation

Parties and Counsel Present:

Phillip Townsend, Respondent.

Darren Covington, Deputy Attorney General on behalf of the State of Indiana.

Chuck Lindquist, Witness on behalf of Respondent.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Laux

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Case Summary: Respondent's license was placed on indefinite probation pursuant to the order issued October 29, 2008. Respondent provided testimony and evidence that he has met all requirements of that probationary order.

Board Action: A motion was made and seconded to withdraw the probationary status from the Respondent's license.

BURGHDUFF/LAUX
Motion Carried 5-0-0.

L. State of Indiana v. Kimberly Sue Crady, L.P.N., License No. 27040208A

Administrative Cause No. 2002 NB 0060

Re: Order to Show Cause

Parties and Counsel Present:

Kimberly Crady, Respondent.

Elizabeth Kiefner-Crawford, Attorney General on behalf of the State of Indiana.

Chuck Lindquist, witness on behalf of the State of Indiana

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Laux

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Case Summary: Respondent's license was placed on indefinite probation pursuant to an order issued March 19, 2007. The Board issued this order to show cause on November 23, 2009, upon receiving information that Respondent has not complied with the probationary order.

Board Action: A motion was made and seconded to place Respondent's license on indefinite suspension for at least one year of compliance with an ISNAP RMA.

BURGHDUFF/MCINTOSH
Motion Carried 5-0-0.

M. State of Indiana v. Shannon Rae Simmons, L.P.N., License No. 27038030A

N. In the Matter of the Application to Renew the License of: Kimberly Ann Weaver, R.N., License No. 28076669A

Administrative Cause No. 2009 NB 253

Re: Motion to Reconsider Denial of Renewal Application

Parties and Counsel Present:

Kimberly Weaver, Respondent.

Lorie Brown, Counsel on behalf of Respondent.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Laux

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Case Summary: The Board voted to deny Respondent's renewal application for the 2009 RN Renewal cycle; Respondent appeals.

Board Action: A motion was made and seconded to renew Respondent's license and to refer the matter to the Attorney General's office for investigation.

MCINTOSH/LAUX

Motion Carried 4-0-1, OGLE opposed.

The following hearings were scheduled to begin at 1:30 pm. Cases will be heard on order of arrival, with the exception of agreements, which will be heard first.

O. In the Matter of the License of Patricia A. Farmer, L.P.N., License No. 27031181A

Administrative Cause No. 2009 NB 179

Re: Disciplinary Hearing

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Thomas McGee, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Narwold

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Case Summary: The parties filed a proposed settlement agreement on December 4, 2009 that would issue Respondent's license on indefinite probation for at least 6 months, issue a \$250 fine, and require the completion of at least 24 contact hours of continuing education for nurses.

Board Action: A motion was made and seconded to adopt the proposed settlement agreement as final disposition of the matter.

BURGHDUFF/MCINTOSH

Motion Carried 5-0-0.

P. In the Matter of the License of: Amy Wynne Joy Johnson, R.N., License No. 28129284A

Administrative Cause No. 2009 NB 183

Re: Proposed Settlement Agreement

Q. In the Matter of the License of: Cheryl (Chambers) Shepherd, R.N., License No. 28132892A

Administrative Cause No. 2009 NB 146

Re: Settlement Conference

CONTINUED to January 2010 Board Meeting.

R. In the Matter of the License of: Beth Ann Tom, R.N., License No. 28138530A

Administrative Cause No. 2008 NB 159

Re: Order to Show Cause

CONTINUED to January 2010 Board Meeting.

S. In the Matter of the License of: Sandra Love, L.P.N., License No. 27032353A

Administrative Cause No. 2008 NB 197

Re: Disciplinary Hearing

CONTINUED to January 2010 Board Meeting.

T. In the Matter of the Application to Renew the License of: D. Patrick Vonderau., R.N., License No. 28160807A

CONTINUED TO FEBRUARY

Administrative Cause No. 2009NB 209

Re: Request to Appeal Decision

U. State of Indiana v. Rodney Lee Cupp, L.P.N., License No. 27038966A

CONTINUED

Administrative Cause No. 2004 NB 0111

Re: Order to Show Cause

V. In the Matter of the License of: Jennifer Lynn Link, R.N., License No. 28159431A

Administrative Cause No. 2007 NB 0192

Re: Order to Show Cause

Parties and Counsel Present:

Jennifer Link, Respondent.

Laura Wilford, Deputy Attorney General on behalf of the State of Indiana.

Chuck Lindquist, witness on behalf of the State.

Vickie Hull, witness on behalf of the Respondent.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Narwold

Ms. Henderson

Ms. Ogle

Ms. Laux

Case Summary: Respondent was placed on indefinite probation pursuant to an order issued on December 27, 2007. Upon learning of potential compliance issues with this probationary order, The Board filed this Order To Show Cause on December 1, 2009.

Board Action: A motion was made and seconded to issue Respondent's license on indefinite suspension for at least one year of compliance with an ISNAP RMA.

BURGHDUFF/LAUX

Motion Carried 5-0-0.

W. State of Indiana v. Julie M. Anderson, R.N., License No. 28142547A

Administrative Cause No. 2003 NB 0166

Re: Order to Show Cause

Parties and Counsel Present:

Julie Anderson, Respondent.

Morgan Burton, Deputy Attorney General on behalf of the State of Indiana.

Chuck Lindquist, witness on behalf of the State.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Narwold

Ms. Henderson

Ms. Ogle

Ms. Laux

Ms. McIntosh

Case Summary: Respondent was placed on indefinite probation pursuant to an order issued on August 26, 2009. Upon learning of potential compliance issues with this probationary order, The Board filed this Order To Show Cause on December 1, 2009.

Board Action: A motion was made and seconded to REVOKE Respondent's nursing license.

BURGHDUFF/LAUX

Motion Carried 6-0-0.

X. In the Matter of the License of: Jason Whitman, R.N., License No. 28153139A

Administrative Cause No. 2009 NB 196

Re: Settlement Conference

Parties and Counsel Present:

Jason Whitman, Respondent.

Elizabeth Kiefner-Crawford, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Narwold

Ms. Henderson

Ms. Ogle

Ms. Laux

Case Summary: The parties filed a proposed settlement agreement on November 6, 2009 that would issue Respondent's license on indefinite probation for at least one year of full compliance with Respondent's Ohio consent agreement.

Board Action: A motion was made and seconded to adopt the proposed settlement agreement as final disposition of the matter.

BURGHDUFF/LAUX

Motion Carried 4-0-1, MCINTOSH abstained.

Y. In the Matter of the License of: Dawn Wiley, L.P.N. License No. 27047427A

Administrative Cause No. 2009 NB 132

Re: Proposed Settlement Agreement

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Laura Wilford, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Narwold

Ms. Henderson

Ms. Ogle

Ms. Laux

Case Summary: The parties filed a proposed settlement agreement on December 2, 2009 that would issue Respondent's license on indefinite probation for at least 6 months, issue a reprimand and a \$750 fine, and require the completion of at least 24 contact hours of continuing education for nurses.

Board Action: A motion was made and seconded to adopt the proposed settlement agreement as final disposition of the matter.

BURGHDUFF/NARWOLD

Motion Carried 5-0-0.

Z. In the Matter of the License of: Rita Tattersall, L.P.N. License No. 27053856A

Administrative Cause No. 2009 NB 239

Re: Petition for Emergency Suspension

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Darren Covington, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Mr. Burghduff (Hearing Officer)

Ms. Narwold

Ms. Henderson

Ms. Ogle

Ms. McIntosh

Board Action: A motion was made and seconded to place the Respondent's license on emergency suspension.

BURGHDUFF/MCINTOSH

Motion Carried 5-0-0.

AA. In the Matter of the License of: April Dawn Hughes, R.N., License No. 28149040A

Administrative Cause No. 2009 NB 157

Re: Disciplinary Hearing

Settlement Conference conducted. Matter CONTINUED.

IX. DEFAULT HEARINGS

A. In the Matter of the License of: Mary Ann Edwards, R.N., License No. 28142623A

Administrative Cause No. 2009 NB 080

Re: Notice of Proposed Default

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Laura Wilford, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Ms. Burghduff (Hearing Officer)

Ms. Henderson

Ms. Narwold

Ms. Laux

Ms. Ogle

Case Summary: Notice of Proposed Default was issued by the Board on November 12, 2009, and no response was received from Respondent.

Board Action: A motion was made and seconded to hold Respondent in default.

BURGHDUFF/NARWOLD

Motion Carried 5-0-0

A motion was made and seconded to place Respondent's license on indefinite suspension for at least 5 years. Prior to eligibility for reinstatement, Respondent must have at least one year of compliance with an ISNAP RMA, pay a \$750 fine and costs to IPLA.

NARWOLD/OGLE

Motion Carried 4-0-1, LAUX abstained.

B. In the Matter of the License of David Alan Loeffler, Jr., L.P.N., License No. 27059378A

Administrative Cause No. 2008 NB 215

Re: Notice of Proposed Default

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Morgan Burton, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Ms. Burghduff (Hearing Officer)

Ms. Henderson

Ms. Narwold

Ms. McIntosh

Ms. Ogle

Case Summary: Notice of Proposed Default was issued by the Board on October 13, 2009, and no response was received from Respondent.

Board Action: A motion was made and seconded to hold Respondent in default.

MCINTOSH/OGLE

Motion Carried 5-0-0

A motion was made and seconded to place Respondent's license on indefinite suspension for at least 5 years. Prior to eligibility for reinstatement, Respondent must have at least one year of compliance with an ISNAP RMA, pay a \$750 fine and costs to IPLA.

NARWOLD/BURGHDUFF

Motion Carried 5-0-0.

C. In the Matter of the License of Kimberly Kay Koenig, L.P.N., License No. 27040416A

Administrative Cause No. 2007 NB 0135

Re: Notice of Proposed Default

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Morgan Burton, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Ms. Burghduff (Hearing Officer)

Ms. Henderson

Ms. Narwold

Ms. McIntosh

Ms. Ogle

Case Summary: Notice of Proposed Default was issued by the Board on October 20, 2009, and no response was received from Respondent.

Board Action: A motion was made and seconded to hold Respondent in default.

BURGHDUFF/NARWOLD

Motion Carried 5-0-0

A motion was made and seconded to place Respondent's license on indefinite suspension for at least 25 years. Respondent must pay a \$500 fine and costs.

NARWOLD/MCINTOSH

Motion Carried 5-0-0.

D. In the Matter of the License of Natalie Cross, L.P.N., License No. 27034242A

Administrative Cause No. 2009 NB 152

Re: Notice of Proposed Default

Parties and Counsel Present:

Respondent did not appear in person or by counsel.

Morgan Burton, Deputy Attorney General on behalf of the State of Indiana.

Participating Board Members:

Ms. Burghduff (Hearing Officer)

Ms. Henderson

Ms. Narwold

Ms. Laux

Ms. Ogle

Case Summary: Notice of Proposed Default was issued by the Board on November 12, 2009, and no response was received from Respondent.

Board Action: A motion was made and seconded to hold Respondent in default.

NARWOLD/OGLE

Motion Carried 5-0-0

A motion was made and seconded to REVOKE Respondent's license.

BURGHDUFF/LAUX

Motion Carried 5-0-0.

X. Personal Appearances from December 9, 2009 meeting.

The Indiana State Board of Nursing requested the following individuals to appear before the Board in regards to their application for initial licensure or renewal of an established license to practice nursing in Indiana. These personal appearances were conducted by Board Vice-President Jerry Burghduff acting in the capacity of an Administrative Law Judge. A motion was made and seconded to approve the recommendations as follows:

E. Appearances by Applicants for Licensure

1. Andrea Webb
Ms. Webb appeared before the Board regarding her application for licensure by examination. Ms. Webb disclosed a 2002 conviction for burglary. Mr. Burghduff recommended that Ms. Webb be made eligible to test and that her license be issued on a probationary status for at least 6 months.
2. Maureen Keilman (rescheduled from November)
Ms. Keilman did not appear before the Board regarding her application for licensure by examination. She will be rescheduled for a January 2010 personal appearance before the Board.
3. Virginia Hansen
Ms. Hansen did not appear before the Board regarding her application for licensure by examination. She will be rescheduled for a January 2010 personal appearance before the Board.
4. Mallory Geneus
Ms. Geneus requested that her application for licensure be withdrawn.
5. Ed Chery
Mr. Chery requested that his application for licensure be withdrawn.
6. Jacqueline Clement
Ms. Clement did not appear before the Board regarding her application for licensure by examination. She will be rescheduled for a January 2010 personal appearance before the Board.

F. Appearances by Applicants for Renewal

1. Lynn Lichatowich
Ms. Lichatowich appeared before the Board regarding her application for renewal of licensure. She has an outstanding fine of \$250 from a past disciplinary action. Mr. Burghduff recommended that her license be renewed upon payment of the fine.
2. Ronald Altenhof (**continued to January**)
3. Johnny Burton
Mr. Burton appeared before the Board regarding his application for renewal of licensure. He disclosed a termination from employment for several issues. Mr. Burghduff recommended that the matter be referred to the Attorney General's office as a consumer complaint.
4. Annamaria Adaka
Ms. Adaka appeared before the Board regarding her application for renewal of licensure. She disclosed several terminations over her career for medication administration and documentation errors. Ms. Adaka attributes those circumstances to miscommunication due to her status as a non native English speaker. Mr. Burghduff recommended that Ms. Adaka's license be renewed on a probationary status for at least 6 months with requirements that she complete 24 contact hours of continuing education for nurses, 6 each in the areas of documentation, medication administration, patient assessment, and ethics.
5. Michael Allison
Mr. Allison did not appear before the Board regarding his application for renewal of licensure. He will be rescheduled for a January 2010 appearance before the Board.
6. Linda Benson
Ms. Benson appeared before the Board regarding her application for renewal of licensure. Ms. Benson reported a malpractice suit for which she was found liable for a patient death. Mr. Burghduff recommended that the matter be referred to the Attorney General's office for their investigation.
7. Michelle Binkley – **renewed 12/8/09; yes in error**
8. Laura Borders
Ms. Borders did not appear before Board regarding her application for renewal of licensure. The Board received information that in her position as a nurse director / administer she employed and individual as a nurse who was not licensed in Indiana. Mr. Burghduff recommended that the matter be referred back to the Attorney General's office.
9. Sharon Bowles
Ms. Bowles did not appear before the Board regarding her application for renewal of licensure. She will be rescheduled for a January 2010 appearance before the Board.

10. Sarah Brookshire – Continued to January

11. Marie Chandler
Ms. Chandler did not appear before the Board regarding her application for renewal of licensure. She will be rescheduled for a January 2010 appearance before the Board.
12. Amanda Davis-Houchen
Ms. Davis-Houchen appeared before the Board regarding her application for renewal of licensure. Ms. Davis-Houchen disclosed an inappropriate prescriptive relationship with a physician. Mr. Burghduff recommended that the matter be referred to the Attorney General's office for investigation.
13. Tammy DeGroft – **Canceled**
Ms. DeGroft reported along with her renewal application that she is currently on a probation status in several states stemming from her probationary license in Virginia. She is willing to accept a probationary license in Indiana requiring her to remain compliant with the probationary requirements against her Virginia license.
14. Shannon Dilsaver
Ms. Dilsaver did not appear before the Board regarding her application for renewal of licensure. She will be rescheduled for a January 2010 appearance before the Board.
15. Elizabeth Earhart
Ms. Earhart appeared before the Board regarding her application for renewal of licensure. Ms. Earhart disclosed that she had previous disciplinary action by the Board, but the Board did not receive any statement from her regarding her positive response. Mr. Burghduff recommended that Ms. Earhart's license be renewed free and clear.
16. Sonja Farr
Ms. Farr appeared before the Board regarding her application for renewal of licensure. Ms. Farr reported treatment for substance abuse. Mr. Burghduff recommended that Ms. Farr's license be renewed on a probationary status for at least one year of compliance with an ISNAP RMA.
17. Michael Gashti
Mr. Gashti appeared before the Board regarding his application for renewal of licensure. Mr. Gashti reported a termination for diversion and is currently participating in ISNAP. ISNAP reports that he has been noncompliant with some of the conditions of his RMA. He has been in monitoring since July of 2008. Mr. Burghduff recommended that his license be renewed on a probationary status for at least one year of full compliance with his ISNAP RMA.
18. James Gennari
Mr. Genarri did not appear before the Board regarding the positive response on his renewal application. He will be rescheduled for the January meeting.
19. Leigh Ann Green
Ms. Green appeared before the Board regarding her application for renewal of licensure. She disclosed having been recently criminally convicted of felony battery. She is currently participating in ISNAP. Mr. Burghduff recommended that her license be renewed on a probationary status for the duration of her ISNAP RMA. She is also required to submit the results of an MMPI-2 evaluation.
20. Michelle Gumbert
Ms. Gumbert did not appear before the Board regarding her application for renewal of licensure. Ms. Gumbert's license is currently suspended in Ohio. Mr. Burghduff recommended that her license renewal be denied.
21. Lori Hanna
Ms. Hanna appeared before the Board regarding her application for renewal of licensure. Ms. Hanna has pending criminal charges for diversion. She is currently participating in ISNAP. Mr. Burghduff recommended that she be renewed on a probationary status for the duration of her ISNAP RMA.
22. Michael Hauck
Mr. Hauck did not appear before the Board regarding his application for renewal of licensure. He has voluntarily surrendered his license in Missouri and had his application for licensure denied in Arizona. Mr. Burghduff recommended that Mr. Hauck's application for renewal be denied.
23. Kimberly Henley
Ms. Henley did not appear before the Board regarding her application for renewal of licensure. She will be rescheduled for a January 2010 appearance before the Board.
24. Mary Herndon

Ms. Herndon sent correspondence to the Board following her renewal application stating that she would not attend and that there is a current complaint with the Attorney General's office. Mr. Burghduff recommended that her renewal application be denied.

25. Stacy Johnson
Ms. Johnson appeared before the Board regarding her application for renewal of licensure. It was disclosed that she was DON at a facility where a CNA battered a resident; the Medicaid Fraud Control Unit investigation reported that she did not report the incident. Mr. Burghduff recommended that the matter be forwarded to the Attorney General's office.
26. Brandon Kaser
Mr. Kaser appeared before the Board regarding his application for renewal of licensure. He reported a 2009 OWI conviction for which he is on criminal probation through February 2010. He reports no prior offenses. Mr. Burghduff recommended that his license be renewed free and clear.
27. Angela Katzelis - renewed 12/8/09; yes in error
28. Stevo Kecman
Mr. Kecman appeared before the Board regarding his application for renewal of licensure. He reported a previous denial of license in California due to his failure to meet requirements. He completed an ISNAP RMA successfully recently. Mr. Burghduff recommended that his license be renewed free and clear.
29. Alexandra Kimbowa
Ms. Kimbowa appeared before the Board regarding her application for renewal of licensure. She inadvertently answered "yes" to one of the renewal questions.
30. Barbara Maher
Ms. Maher did not appear before the Board regarding her application for renewal of licensure. She will be rescheduled for a January 2010 appearance before the Board.
31. Cathy Makara-Vukin
Ms. Makara-Vukin did not appear before the Board regarding her application for renewal of licensure. She provided documentation that the pending consumer protection investigation had been resolved. Mr. Burghduff recommended that her license be renewed free and clear.
32. Garry Melton
Mr. Melton did not appear before the Board regarding his application for renewal of licensure. He will be rescheduled for a January 2010 appearance before the Board.
33. Sherry Miller
Ms. Miller did not appear before the Board regarding her application for renewal of licensure. She will be rescheduled for a January 2010 appearance before the Board.
34. Cathy Minix
Ms. Minix appeared before the Board regarding her application for renewal of licensure. The Board received allegations that she had been terminated and that she had pending criminal charges. Ms. Minix did disclose a termination that was not reported on her renewal application. Mr. Burghduff recommended that her license be renewed free and clear.
35. Kathryn Minor
Ms. Minor appeared before the Board regarding her application for renewal of licensure. The Medicaid Fraud Control Unit provided an investigative report alleging that Ms. Minor did not report a situation where another nurse had behaved inappropriately. Mr. Burghduff recommended that the matter be referred to the Attorney General's office for investigation.
36. Dawn Welch
Ms. Welch appeared before the Board and with counsel regarding her application for renewal of licensure. She disclosed an ongoing investigation in Kentucky regarding a suspected diversion of controlled substances. No formal charges have been issued by the Board. She has submitted to several drug screens and provided documentation of negative results. Mr. Burghduff recommended that she be renewed free and clear.

BURGHDUFF/LAUX
Motion Carried 6-0-0

XI. ADJOURNMENT

There being no further business, and having completed its duties, the meeting of the Indiana State Board of Nursing adjourned at 4:35 p.m.

Laurel Valentino, R.N., President

Date

Lynda Narwold, R.N., Secretary

Date

Next Scheduled Meeting:

Thursday, January 21, 2010 - Full Board Meeting
Indiana Government Center-South
Auditorium